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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 NUTRITION DISTRIBUTION, LLC,
12 Plaintiff,
13 vs.
14 TRIBRAVUS ENTERPRISES, LLC,
15 Defendant.

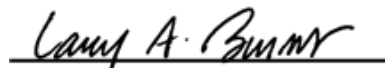
CASE NO. 15cv1649-LAB (JMA)

ORDER OF DISMISSAL

16 After Defendant filed a motion to dismiss (Docket no. 9), Plaintiff filed a notice of
17 voluntary dismissal with prejudice. Under Fed. R. Civ. P. 41(a)(1)(A)(i), a plaintiff may
18 dismiss before the defendant serves either an answer or a motion for summary judgment.
19 Because Defendant has not answered, the notice of dismissal is sufficient under this rule.
20 This action is therefore **DISMISSED WITH PREJUDICE** and the motion to dismiss is
21 **DENIED AS MOOT.**
22

23 **IT IS SO ORDERED.**

24 DATED: November 3, 2015

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26 **HONORABLE LARRY ALAN BURNS**
27 United States District Judge
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